

**ORDINANCE NO: 24****AN ORDINANCE TO ESTABLISH THE GRAND RAPIDS BUILDING CODE**

The Town Board of the Town of Grand Rapids, Wisconsin, pursuant to § 101.65 Wisconsin Statutes does ordain as follows with regard to its Town Ordinances:

**24.1 Adoption of Wisconsin Uniform Dwelling Code**

The Town of Grand Rapids Building Code is hereby created to read as follows:

- A. Chapter COMM 22, Wisconsin Administrative Code, energy conservation standards of the One and Two Family Uniform Dwelling Code, as adopted and effective December 1, 1978, and Chapters COMM 20, 21, 23, 24 and 25, adopted and effective March 1, 1980, and all amendments thereto, are adopted and incorporated in this code by reference.
- B. The building inspector, as certified by the Department of Industry, Labor and Human Relations is hereby authorized and directed to administer and enforce all of the provisions of the Wisconsin Uniform Dwelling Code and all provisions of this Grand Rapids Building Code.
- C. Any existing ordinances pertaining to the construction of new dwellings that conflict with the Uniform Dwelling Code are hereby repealed.

**24.2 Applicability of Uniform Dwelling Code**

- A. COMM 20.05 notwithstanding, the Wisconsin Uniform Dwelling Code shall be applicable in the Town of Grand Rapids to the following:
  - 1) Additions or alterations subsequent to the effective date of this code, to dwellings, the initial construction of which was commenced prior to the effective date of this code;
  - 2) Repairs or maintenance to dwellings or dwelling units, or to electrical, heating, ventilating, air conditioning or other systems installed therein;
  - 3) Buildings moved into the town, the construction of which occurred before or after the effective date of this code;
  - 4) Farm buildings, including those other than farm residences;
  - 5) COMM 20.02 (1) notwithstanding, this code DOES apply to additions or alterations insofar as occupancy requirements occurring after the first occupancy of a dwelling.
  - 6) COMM 20.07 (25) notwithstanding, for purposes of this code, the term dwelling shall be defined as any building which contains one or two dwelling units, regardless of when construction was commenced.
  - 7) COMM 20.07 (26) notwithstanding, for purposes of this code, the term dwelling unit shall mean any dwelling, regardless of when construction was commenced.
  - 8) COMM 20.07 (35) notwithstanding, the term garage shall mean an enclosed or unenclosed portion of a dwelling or any other enclosure used for storing motorized

vehicles, whether or not it is a portion of the dwelling. Garages which are a portion of the dwelling shall be regulated by the Uniform Dwelling Code. Garages and other accessory buildings not a portion of the dwelling shall be regulated by provisions of the Uniform Dwelling Code regarding loading, materials, design methods, footings, electrical installations and other applicable provisions, as well as regulations specified in Appendix A.

- B. The previous Town of Grand Rapids Building Code, as adopted June 20, 1978 and hereby amended is hereby renamed "Appendix A" and made an integral part of this Town Ordinance No. 24, "Grand Rapids Building Code," and shall remain in full force and effect except where superseded by the Wisconsin Uniform Dwelling Code.
- C. In any instance cited in Ordinance No. 24, Section 24.2 (A)(1) through (5) inclusive, in which the application of the Wisconsin Uniform Dwelling Code is deemed by the building inspector and the Grand Rapids Board of Building Appeals to be impractical or to cause undue hardship, the building inspector or Grand Rapids Board of Appeals may rule that "Appendix A" shall apply instead.
- D. Existing Buildings: The Wisconsin Uniform Dwelling Code shall also apply to buildings and conditions described in this section:
  - 1) An existing building to be occupied as a one or two family dwelling, which building was not previously so occupied.
  - 2) An existing structure that is altered or repaired, when the cost of such alterations or repair during the life of the structure exceeds fifty (50) percent of the equalized value of the structure, said value to be determined by the assessor of the municipality.
  - 3) Additions and alterations, regardless of cost, made to an existing building when deemed necessary in the opinion of the building inspector shall comply with the requirements of this code for new buildings.
  - 4) Roof coverings: Whenever more than twenty-five (25) percent of the roof covering of a dwelling is replaced in any twelve (12) month period, all roof covering shall be in conformity with applicable sections of this code.
- E. Alterations and Repairs: The following provisions shall apply to buildings altered or repaired.
  - 1) Alterations: When not in conflict with any regulations, alterations to any existing building or structure, accommodating a legal occupancy and use but of non-conforming type of construction, which involves either the structural members of floors or roofs, beams, girders, columns, bearing or other walls, heating an air conditioning systems, room arrangements, light and ventilation, changes in location of exit stairways or exits, or any of the above, then such existing construction shall be made to conform to the minimum requirements of this code applicable to such occupancy and use and given type of construction.
  - 2) Repairs: Repairs for purposes of maintenance, or replacements in any existing building or structure which do not involve the structural portions of the building or structure, or which do not affect room arrangement, light and ventilation, access to or efficiency of any exit stairways or exits, fire protection, or exterior aesthetic

appearance and which do not increase a given occupancy and use, shall be deemed minor repairs.

- 3) **Alterations When Not Permitted:** When any existing building or structure, which for any reason whatsoever does not conform to the regulations of this code, has deteriorated from any cause whatsoever to extent greater than fifty (50) per cent of the equalized value of the building or structure, no alterations or moving of such building or structure shall be permitted. Any such building or structure shall be considered a menace to public safety and welfare and shall be ordered vacated and thereafter demolished and debris removed from the premises.
  - 4) **Alterations and Repairs Required:** When any of the structural members of any building or structure have deteriorated from any cause whatsoever to less than their required strength, the owner of such a building or structure shall cause such structural members to be restored to their required strength; failing in which the building or structure shall be considered a menace to public safety and shall be vacated and thereafter no further occupancy or use of the same shall be permitted until the regulations of this code are complied with.
  - 5) **Extent of Deterioration:** The amount and extent of deterioration of any existing building or structure shall be determined by the building inspector.
  - 6) **Use of Unsanitary Building:** It shall be unlawful to occupy or use or permit the occupancy or use of any building or structure that is unsanitary or dilapidated, or deteriorated, or out of repair, thereby being unfit for human habitation, occupancy or use until the regulations of this code have been complied with.
- F. **Razing of Buildings:** The building inspector is hereby authorized to act for the municipality under the provisions of Section 66.0413 of the Wisconsin Statutes, relating to the razing of buildings and all acts amendatory thereof and supplementary thereto. The municipal treasurer is authorized to place the assessment and collect the special tax as therein provided.

### **24.3 Buildings Where Uniform Dwelling Code Does Not Apply**

- A. Buildings and structures such as, but not limited to, dwellings of more than two families or public or commercial buildings which serve or house employees or the public, and to which the Wisconsin Administrative Code (Chapters COMM 61 to 65, inclusive) are applicable, shall be regulated by that code and by the provisions of the appendix of the Grand Rapids Building Code, attached hereto. Chapters COMM 50 to 64, inclusive, are hereby adopted and incorporated in the Grand Rapids Building Code by reference.
- B. Any other buildings or structures, such as, but not limited to, fences, swimming pools, fuel tanks, signs, and moving and wrecking of buildings, which are not regulated by the Wisconsin Uniform Dwelling Code, shall be regulated by provisions of Appendix A.

### **24.4 Building Permit Required**

- A. No person shall build or cause to be built any one or two family dwelling without first obtaining a state uniform building permit and paying permit fee as per Ordinance 39 "Schedule of Fees and Forfeitures".

- B. No person shall build, enlarge, alter, demolish or move into, within or out of the municipality any building or structure other than a dwelling for which a Wisconsin Uniform Building Permit is issued, without first obtaining a Grand Rapids building permit as specified in Appendix A, Section (3) and paying permit fee as per Ordinance 39 "Schedule of Fees and Forfeitures".

#### **24.5 Penalties**

All prosecutions of violations of provisions of this ordinance shall be commenced by injunction action or citation pursuant to Town of Grand Rapids Ordinance No. 27.

Any person, firm or corporation that fails to comply with the provisions of this ordinance shall, upon conviction, be subjected to a forfeiture per Ordinance 39 "Schedule of Fees and Forfeitures" together with the costs of prosecution. Each day a violation exists or continues shall constitute a separate offense.

#### **24.6 Severability**

No Provision of this code shall be construed to repeal, modify, or constitute alternative to any lawful zoning regulation or to provisions of Ordinance 23, Town of Grand Rapids Minimum Housing Standards.

**This ordinance shall take effect from and after the date of its passage and publication as provided by law.**

#### **HISTORY**

##### **Declaration/Ordinance/Resolution No**

##### **Dated**

##### **RESOLUTION NO:**

2006-07  
2008-03

1-March-1980  
23-May-2006  
8-April-2008

## **TOWN OF GRAND RAPIDS BUILDING CODE APPENDIX A**

### **24.2.0 Title and Scope**

These regulations shall be known as the Appendix A to Ordinance 24, Grand Rapids Building Code; and shall be construed to secure their expressed intent and to ensure public safety, health and welfare insofar as they are dependent upon building construction.

The provisions of this Appendix shall govern the design, construction, alteration, demolition, and moving of all buildings and structures not regulated by the Wisconsin Uniform Dwelling Code.

### **24.2.1 Building Inspector**

There is hereby created the office of building inspector, hereinafter called inspector. Such inspector shall be appointed by the Town Board for an indefinite term of office, at a salary fixed by the Town Board and shall hold office until his successor shall have been duly appointed and qualified.

- (1) Duties: The building inspector is vested with the authority and responsibility to enforce all laws controlling safe building construction. He shall make periodic inspection of existing public buildings to determine their safety. He shall make inspections at the site of buildings damaged by any cause whatsoever to determine the safety of buildings affected thereby.
- (2) Rights: The building inspector or his authorized agent shall have the power and authority at all reasonable hours, for any proper purpose, to enter any public or private premises and make inspection thereof and to require the production of the permit for any building, plumbing, electrical or heating work being done or the required license therefore. No person shall interfere with or refuse to permit access to any such premises to the above described representatives of the municipality while in the performance of their duties.
- (3) Records: There shall be kept in the Department of Building Inspection a record of all applications for building permits in a book for such purpose, and each permit shall be regularly numbered in the order of its issue. Also, a record showing the number, description and size of all buildings erected indicating the kind of materials used and the cost of each building and aggregate cost of all buildings in the various classes shall be kept. There shall be kept in the Department of Building Inspection, a record of all inspections made, and of all removal and condemnation of buildings, and a record of all fees collected showing the date of their receipt. The building inspector shall make a written annual report to the governing body of the municipality relative to these matters.

### **24.2.2 Permits**

- (1) Permits Required: No building or structure or any part thereof shall hereafter be built, enlarged, altered or demolished within the municipality or moved into, within or out of the municipality except as hereinafter provided, unless a permit therefore shall first be obtained by the owner or his agent from the building inspector.

Permits required are as follows:

- |                                 |                         |
|---------------------------------|-------------------------|
| (a) Building                    | (e) Moving of buildings |
| (c) Wrecking or razing          | (f) Electrical          |
| (d) Heating or Air Conditioning | (g) Plumbing            |

- (2) Application for permits: The applicant shall pay a license fee as per Ordinance 39 "Schedule of Fees and Forfeitures". Application for a building permit shall be made in

- writing upon a form to be furnished by the building inspector and shall state the name and address of the owner of the building and the owner of the land on which it is to be erected, the name and address of the designer, and shall set forth a legal description of the land on which the building is to be located, the location of the building, the house number thereof and such other information as the building inspector may require. With such application, the building inspector may require a complete set of plans, specifications and a survey.
- (a) No permit shall be issued for any building on any lot or parcel which does not front on or abut a public road right-of-way with at least 33 feet of frontage. (For purposes of this subsection, public road right-of-way shall mean a road dedicated to public use, accepted by the town or jurisdictional governmental body for public use, and of at least the width required by ordinance or resolution of the town at the time of the road's dedication.)
- (3) **Waiver of Some Requirements:** At the option of the building inspector, plans, data, specifications and survey need not be submitted with an application for permit to execute minor alterations and repairs to any building, structure or equipment, provided the proposed construction is sufficiently described in the application for permit.
- (4) **Drainage**
- (a) **Grading of Lots:** No permits are to be issued if construction shall in any way hinder the natural flow of surface water.
  - (b) **Storm Water Drains:** No dwelling shall be erected nor shall existing provisions for conveyance of water from the roof of any dwelling be altered or replaced unless provision is made to convey water from the roof of the dwelling in such a manner that such water will not, directly or indirectly, pass thence into the sanitary sewer system. No storm water or surface water drains may be connected with the sanitary sewer system, whether installed above or below the surface of the ground.
- (5) **Damaged Buildings:** No buildings shall be repaired, altered or moved within or into the municipality that has deteriorated or has been damaged by any cause, (including such moving and separation from its foundation and service connection in case of moved buildings), fifty (50%) percent or more of its equalized value, and no permit shall be granted to repair, alter or move such building within or into the municipality.
- (6) **Street Encroachments:** Except as otherwise provided in this section, no part of a building hereafter erected or enlarged shall project beyond a street line or a building setback line.
- (a) **Alterations:** No change or enlargement shall be made to an existing part of a building now projecting beyond the street line or building setback line except in conformity with the provisions of this section for new construction.
  - (b) **Existing Encroachments:** Parts of buildings which already project beyond the street line or building line may be maintained as constructed until their removal is directed by the town.
- (7) **Building Inspector to Issue Permit**
- (a) If the building inspector finds that the proposed building will comply in every respect with this code, other municipal ordinances, and all laws of the State of Wisconsin, and lawful orders issued pursuant thereto, he shall issue a building

permit. After being approved, the plans and specifications shall not be altered in any respect which involved any of the above mentioned ordinances, laws or orders, or which involves the safety of the building, except with the written consent of the building inspector filed with such application.

- (b) In case adequate plans are presented, the building inspector, at his discretion, may issue a permit for a part of the building before receiving the plans and specifications of the entire building. It shall be unlawful to commence work on any building or alteration before the building permit has been issued. The issuance of a permit upon the plans and specifications shall not prevent the building inspector from thereafter requiring the correction of errors in said plans and specifications or from preventing building operations being carried on there under when in violation of any ordinances of the municipality or laws of the State of Wisconsin or lawful orders issued pursuant thereto.
  - (c) For the construction of buildings requiring approval of the State Department of Commerce, no permit shall be issued until such approved plans are received by the building inspector.
- (8) Inspector may Revoke Permits
- (a) The building inspector may revoke any permit, certificate of occupancy, or approval issued under the regulations of this code and may stop construction or use of approved new materials, equipment, methods of construction, devices, or appliances for any of the following reasons:
    - 1. Whenever there is a violation of any regulation of this code or of any other ordinance, law, or lawful orders or Wisconsin Statute relating to the same subject matter.
    - 2. Whenever the continuance of any construction becomes dangerous to life or property
    - 3. Whenever there is any violation of any condition or provisions of the application for permit, or of the permit.
    - 4. Whenever any false statement or misrepresentation has been made in the application for permit, plans, drawings, data specifications, or certified lot or plot plan on which the issuance of the permit or approval was based.
    - 5. Whenever there is a violation of any of the conditions of an approval or occupancy given by the building inspector for the use of any new materials, equipment, methods of construction, devices or appliances.
  - (b) The notice revoking a permit, certificate of occupancy, or approval shall be in writing and may be served upon the applicant for the permit, owner of the premises, and his agent, if any, and on the person having charge of construction.
  - (c) A revocation placard shall also be posted upon the building, structure, equipment, or premises in question by the building inspector.
  - (d) After the notice is served upon the persons as afore said and posted, it shall be unlawful for any person to proceed thereafter with any construction operation whatsoever on the premises, and the permit which has been revoked shall be null and void, and before any construction or operation is again resumed, a new

permit, as required by this code, shall be procured and fees paid therefore, and thereafter the resumption of any construction or operation shall be in compliance with the regulation of this code.

### **24.2.3 Board of Building Appeals**

- (1) Appointment: There is hereby created a Board of Building Appeals. Said board shall consist of members of the Town Board. The building inspector shall act as secretary, but he shall have no vote.
- (2) Jurisdiction: The Board of Appeals shall review any order requiring decision or determination made by the inspector pursuant to the provisions of this code; provided, that the jurisdiction of the Board of Appeals shall not extend to questions arising out of street occupancy.
- (3) Meetings: Meetings of the Board of Appeals shall be held at the call of the Chairman and at such other times as the Board may determine. There shall be a fixed place of meeting and all meetings shall be open to the public.
- (4) Procedure: The Board of Appeals shall adopt its own rules of procedure and shall keep a record of its proceedings showing the action of said Board and the vote of each member upon each question considered. All decisions and findings shall be reduced in writing. A duplicate copy of all decisions or findings shall be given to the appellant.
- (5) Quorum: The concurring vote of three members of such Board shall be necessary to reverse or sustain any order requiring decision or determination of any such administrative official or to decide in favor of the appellant.
- (6) Appeal: Appeal from any order requiring decision or determination or ruling by the inspector concerning the enforcement of the provisions of this code may be made to the Board of Appeals within such time as shall be determined by the Board of Appeals. The appellant shall file with the Secretary of said Board a Notice of Appeal, specifying the ground thereof and shall pay the fee as per Ordinance 39 "Schedule of Fees and Forfeitures". An appeal may be taken by any person whose application for a permit for the use of a new material or method of construction has been refused by the inspector, or who may consider the provisions of this code do not cover the question raised or that the enforcement of any particular provision will cause a manifest injury to be done. In every such appeal the appellant desiring to use alternate materials or types of construction shall guarantee payment of all expenses for necessary tests made or ordered to be made by said Board of Appeals.
- (7) Record of Appeal: The inspector shall transmit to the Board of Appeals all petitions, plans, drawings, papers, matters, or things constituting the record in the matter of the appeal.
- (8) Powers
  - (a) The Board of Appeals may reverse or affirm wholly or in part, or modify any order, requirement, decision, or determination as in the opinion of the Board of Appeals ought to be made in the matter and to that end shall have all the powers of the inspector.
  - (b) Such Board of Appeals shall interpret the provisions of this code in such a way as to carry out the intent and purpose thereof.



- (c) Said Board of Appeals shall have the power to call on any of the other departments of Town Government for assistance in the performance of its duties, and it shall be the duty of every department to render such assistance as may be reasonably required.
- (9) Stay: An appeal shall stay all legal proceedings in furtherance of the action appealed from, unless the inspector from whom the appeal is taken certifies to the Board of Appeals after the Notice of Appeal shall have been filed with him that by reason of the fact stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of appeals or by a court of record on application, on notice to the inspector from whom the appeal is taken and on due cause shown.

#### **24.2.4 Approved Plans**

- (1) A waterproof card signed by the building inspector indicating the permit has been issued shall be posted as the job site during construction. After issuance of a building permit, the approved plans shall not be altered unless any proposed change is first approved by the building inspector as conforming to the provisions of this code.
- (2) The building permit, other than State Uniform Building permits, shall become void unless operations are commenced within four (4) months from the date thereof, or if the building or work authorized by such permit is suspended at any time after work is commenced, for a period of sixty (60) days.
- (3) Before any work is commenced or recommenced after the permit has lapsed, a new permit shall be issued at one-half regular fee rate. All building permits; remodels, or new construction shall be completed within two (2) years from the date of initial issuance.

#### **24.2.5 Regulations for Moving Buildings**

- (1) General: No person shall move any building or structure upon any of the public ways of the municipality without first obtaining a permit therefore from the building inspector and upon the payment of the required fee. Every such permit issued by the building inspector for the moving of a building shall designate the route to be taken, the conditions to be complied with, and shall limit the time during which said moving operations shall be continued.
- (2) Continuous movement: The movement of buildings shall be a continuous operation during all the hours of the day, and day by day and at night, until such movement is fully completed. All of such operations shall be performed with the least possible obstruction thoroughfares. No building shall be allowed to remain overnight upon any street crossing or intersection, or so near thereto as to prevent easy access to any fire hydrant or any other public facility. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.
- (3) Street repair: Every person receiving a permit to move a building shall within one day after said building reaches its destination, report that fact to the building inspector who shall thereupon, in the company of the municipal highway commissioner, inspect the streets and highways over which said building has been moved and ascertain their condition. If the removal of said building has caused any damage to any street or highway, the person to whom the permit was issued shall forthwith place them in as good repair as they were before the permit was granted. On the failure of the said permittee to do so within ten (10) days thereafter to the satisfaction of the governing

- body, said body shall repair the damage done to such streets and hold the person obtaining such permit and the sureties on his bond responsible for the payment of same.
- (4) Conformance with code: No permit shall be issued to move a building within or into the municipality and to establish it upon a location within the said municipality until the building inspector has made an investigation of such building at the location from which it is to be moved, and is satisfied from such investigation that said building is in a sound and stable condition and of such construction that it will meet with requirements of this Building Code in all respects. Should any repairs, improvements, or remodeling be contemplated or required with respect to said building, the same shall be made insofar as possible before the said building is taken from the premises from which it is to be moved. A complete plan of all further repairs, improvements and remodeling with reference to such building shall be submitted to the building inspector, and he shall make a finding of fact to the effect that all such repairs, improvements and remodeling are in conformity with the requirements of this Building Code, and that when same are completed, the building as such will so comply with said Building Code. In the event a building is to be moved from the municipality to some point outside the boundaries thereof, the provisions with respect to the furnishing of plans and the specification for proposed alterations to such building may be disregarded.
- (5) Bond
- (a) Before a permit is issued to move any building over any public way in this municipality, the party applying therefore shall give a bond to the municipality in a sum to be fixed by the building inspector and which shall not be less than One Thousand (\$1,000) Dollars; said bond to be executed by a corporate surety or two personal sureties to be approved by the governing body or designated agent conditioned upon, among other things, the indemnification to the municipality for any costs or expenses incurred by it in connection with any claims for damages to any persons or property, and the payment of any judgment together with the costs and expenses incurred by the municipality in connection therewith, arising out of the removal of the building for which the permit is issued.
- (b) Unless the building inspector, upon investigation, shall find it to be a fact that the excavation exposed by the removal of such building from its foundation shall not be so close to a public thoroughfare as to permit the accidental falling therein of travelers or the location, nature and physical characteristics of the premises and the exposed excavation, such as to make intrusion upon the premises and the falling into such excavation of children under 12 years of age unlikely, the bond required by (a) shall be further conditioned upon the permittee erecting adequate barriers and within forty-eight (48) hours, filling in such excavation or adopting and employing such other means, devices or methods approved by the building inspector and reasonably adopted or calculated to prevent the occurrences set forth herein.
- (6) Insurance: The building inspector shall require in addition to said bond above indicated, public liability insurance covering injury to one person in a sum of not less than Twenty-five Thousand (\$25,000) Dollars and for one accident in a sum not less than Fifty Thousand (\$50,000) Dollars, together with property damage insurance in a sum not less than Five Thousand (\$5,000) Dollars, or such other coverage as deemed necessary.
- (7) Planning Commission
- (a) No such permit shall be issued unless it has been found as a fact by the

Planning Commission of the municipality by at least a majority vote, after an examination of the application for the permit which shall include exterior elevations of the building and accurate photographs of all sides and views of the same, and in case it is proposed to alter the exterior of said building, plans and specifications of such proposed alterations and after a view of the building proposed to be moved and of the site at which it is to be located, that the exterior architectural appeal and functional plan of the building to be moved or moved and altered, will not be so at variance with either the exterior architectural appeal and functional plan of the buildings already constructed or in the course of construction in the immediate neighborhood, or the character of the applicable district established by the zoning ordinances of the municipality, or any ordinance amendatory thereof or supplementary thereto, as to cause a substantial depreciation in the property values of said neighborhood within said applicable district. In case the applicant proposes to alter the exterior of said building after moving the same, he shall submit with his application papers, complete plans and specifications for the proposed alterations. Before a permit shall be issued for a building to be moved and altered, the applicant shall give a bond to the municipality's Planning Commission, which shall not be less than \$1,000 to be executed in the manner provided in sub-section (5) hereof to the effect that he will, within a time to be set by the Planning Commission, complete the proposed exterior alterations to said building in the manner set forth in his plans and specifications. This bond shall be in addition to any other bond or surety which may be required by other applicable ordinances of the municipality.

- (b) Upon application being made to the building inspector he shall request a meeting of the Planning Commission to consider applications for moving permits which he has found comply in all respects with all other ordinances of the municipality, the Planning Commission may, if it desires, hear the applicant for the moving permit in question and/or the owner of the lot on which it is proposed to locate the building in question, together with any other persons, either residents or property owners, desiring to be heard, giving such notice of hearing as they may deem sufficient. Such hearing may be adjourned for a reasonable length of time, and within forty-eight (48) hours after the close of the hearing, the Planning Commission shall, in writing, make or refuse to make, the finding required by subsection (7) hereof, and file it in the office of the clerk, who shall send a copy of it to the building inspector.

(8) Board of Appeals

- (a) On an appeal to the Town Board in the absence of proof to the contrary adduced before the Board of Appeals, a refusal to grant the moving permit because of refusal of the Planning Commission to make the finding required by subsection (7) thereof, such refusal shall be deemed to be passed upon facts supporting a conclusion that the exterior architectural appeal and functional plan of the building to be moved or to be moved and altered, for which a permit was refused, would, when moved or altered, be so at variance with all of the exterior architectural appeal and functional plan of buildings already constructed or in the course of construction in the immediate neighborhood, or the character of the applicable district, as to cause substantial depreciation in the property values of the neighborhood within said applicable district.
- (b) Any person entitled to appeal from the grant of or refusal of the building inspector to grant said moving permit may appeal to the Board of Appeals in the same manner and with the same force and effect as if this ordinance has not been

adopted and the building inspector had taken such action independently of the Town Board.

#### **24.2.6 Razing of Buildings**

Before a building can be demolished or removed, the owner or agent shall notify all utilities having service connections within the building, such as water, electric, gas, sewer, and other connections. A permit to demolish or to remove a building shall not be issued until it is ascertained that service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner. Excavations shall be filled with solid fill to match lot grade, within 30 days of removal of the structure. Any excavation shall be protected with appropriate fences, barriers and/or lights.

#### **24.2.7 Unusual Construction**

When applications for unusual technical design or magnitude or construction are filed, the building inspector may refer such plans and specifications to the Department of Commerce, State of Wisconsin, Safety and Building Division, for analysis and recommendations as to the safety of design in compliance with this code.

#### **24.2.8 Inspections**

- (1) Inspections of all projects requiring a building permit under this code shall be made pursuant to procedures for inspection of new houses as outlined in COMM 20.10.
- (2) Certified Report: The building inspector may require a certified report of all required inspections as regulated by this code from the registered architect or registered engineer supervising the construction of any building, structure, or equipment requiring their supervision. Such certified report shall state in detail that all construction work has been executed in accordance with all of the regulations of this code, approved plans, specifications, terms of the permit, and data filed with the application for permit; and further, that such construction work was executed in accordance with accepted architectural and engineering standard procedures.
- (3) Appeal: Any person feeling himself aggrieved by any order or ruling of the building inspector may appeal from such ruling to the Board of Appeals within twenty (20) days after written notice of such ruling shall have been delivered to him. Such appeal is to be in writing, setting forth the order appealed from, and the respects in which said person feeling himself aggrieved claims that said order on ruling is erroneous or illegal. Said notice of appeal shall be filed with the Clerk along with the fee as per Ordinance 39 "Schedule of Fees and Forfeitures", who shall thereupon notify the building inspector of said appeal, and the appeal shall be heard at the next meeting of the Board of Appeals. The said Board of Appeals, after consideration thereof, shall affirm, reverse or modify said ruling as is just in the premises. The ruling or order of the inspection shall be enforced until changed by said Board of Appeals.

#### **24.2.9 Stop-Work Order**

Whenever the provisions of this code or of the plans approved thereunder are not complied with, a stop-work order shall be served on the owner or his representative and a copy thereof shall be posted at the site of the construction. Such stop-work order shall not be removed except by written notice of the building inspector after satisfactory evidence has been supplied that the violation has been corrected.

#### **24.2.10 Notification of Unauthorized Use**

(1) Use Discontinued

- (a) Whenever any building or portion thereof is being used or occupied contrary to the provisions of this code, the building inspector shall order such use or occupancy discontinued and the building or portion thereof vacated, by notice served on any person using or causing such use or occupancy to be continued and such person shall vacate such building or portion thereof within ten (10) days after receipt of the notice or make the building or portion thereof comply with the requirements of this code.
  - (b) Any building, structure, or premises, or any part thereof, hereafter vacated or damaged by any cause whatsoever so as to jeopardize public safety or health, shall not hereafter be occupied or used under an existing certificate of occupancy or without the same, until an application has been filed and a new certificate of occupancy issued. This sub-section (b) shall not apply to buildings used entirely or dwelling purposes.
- (2) Change: It shall be unlawful to change the use of any building, structure, premises, or part thereof without first obtaining from the building inspector an approval of such change in the occupancy or use.

**24.2.11 Definitions**

For the purpose of this code, the following words and phrases shall have the meanings assigned to them in this section. Words and phrases not herein otherwise defined shall have the meanings accepted by common usage.

- (1) Accessory Building: A part of a principal building, or a supplemental building located on the same lot with a principal building and generally used for storage, private garage, or other use customarily incident to a residence use.
- (2) Adjoining Lot Line: The line between adjoining lots, plots of land, or parcels of land of different or same ownership.
- (3) Approved: As to materials and types of construction refers to approval by the Building Inspectors' Association or DCOMM as the result of investigation and tests conducted by said association or by reason of accepted principles or tests by national authorities or technical or scientific organizations.
- (4) Area: As applied to dimensions, means the maximum horizontal projected area of a building, structure, room, apartment or open space, not including overhangs.
- (5) Building: Any structure built for the support, shelter or enclosure of persons, animals, chattels, or property.
- (6) Building Inspector: The officer charged with the administration and enforcement of this code or his regularly authorized deputy. Same for Building Official.
- (7) Equipment: As specifically regulated by this code, includes heating, cooling, air conditioning, and ventilating systems; plumbing and sanitary systems; electric light and power systems; telephone, electronic and radio signal and annunciator systems; dry cleaning, dyeing and washing machines; elevators and dumb waiters; gas pipe systems; standpipes; sprinkler systems; fire protection apparatus, fire extinguishers, and pumps; oil burners, stokers, and conveyors; refrigerating systems; devices, machinery and apparatus of every description; furnaces, boilers; high or low pressure steam systems; gasoline pumps; all movable or portable containers of every

- description; all air pressure or other tanks; and all other self-contained systems used in conjunction with buildings or structures.
- (8) Established Grade: The grade of the street as established by ordinance at the center line of the street.
  - (9) Existing: A building, structure, equipment, or premises completed or in course of construction, or used or occupied, and for which a legal permit has been issued prior to the effective date of this code.
  - (10) Lot: A parcel of land in a single ownership occupied or to be occupied by not more than one principal or main building and the accessory buildings or uses customarily incident to it, including such open spaces as are required by this or other codes, and having its principal footage upon a street.
  - (11) Lot Line: A line or lines dividing one lot, plot of land, or parcel of land from an adjoining lot, plots of land, or parcel of land.
  - (12) Nonconforming Building. etc.: A lawfully existing building, premises, structure, use, materials, or equipment which do not conform to the requirements of this code.
  - (13) Occupancy or Use: The purpose for which a building, structure, equipment, materials or premises or part thereof is used or intended to be used as regulated by this code.
  - (14) Person: The word "person" shall mean any individual, persons, partnerships, firm, organization, association, or corporation, their agents, heirs, or assigns.
  - (15) Principal Building: A single main building or structure on a lot for specific use or occupancies.
  - (16) Repair: The reconstruction or renewal of any part of an existing building for the purpose of its maintenance. The word "repair" or "repairs" shall not apply to any change of construction.
  - (17) Shall: As used herein is mandatory. Same for must.
  - (18) Structure: As specifically regulated by this code, any thing which is constructed, erected, and framed of component parts and which is fastened, anchored, or rests on a permanent foundation or on the ground for any occupancy or use whatsoever, excluding fencing.
  - (19) Square Footage of Building: The actual area in square feet enclosed by the exterior perimeter of the building walls on each separate floor level.
  - (20) Unusual construction: Any construction methods or materials not covered in this code.

#### **24.2.12 Design**

- (1) Repairs: Every building and all parts thereof shall be maintained to prevent leakage. All rainwater shall be so drained and conveyed therefrom to prevent dampness in the walls and ceilings.
- (2) Cleanliness: Every building shall be kept reasonably clean, and shall also be kept reasonably free from any accumulation of dirt, filth, rubbish, garbage, or other matter in or on the same, or in the yards, courts, passages, areas or alleys connected with or belonging to the same.

- (3) No additional dwelling units shall be created or maintained by rearranging room suites, by subdividing rooms, or by alterations in any existing building or structure unless such dwelling units have been authorized by permit and comply with this and other applicable regulations.

#### **24.2.13 Excavations**

- (1) When required, all excavations for buildings and structures and parts thereof shall be protected and guarded against danger to life or injury to persons or property.
- (2) No trench for sewer or other excavations shall be made below any foundation wall nearer than three (3') feet to any corner of said foundation. No trench for sewer or other excavations shall be made nearer to any column or pier footing than one and one-half (1 ½) times the depth of the excavation below the footing.
- (3) The top of a foundation shall be a minimum of twelve (12") inches above a surfaced road and sixteen (16") inches above an unsurfaced road.
- (4) Sand backfill shall be placed around all basements.
- (5) Dampproofing: Foundation basement walls below grade shall be plastered on the outside with cement mortar not less than 1/2 inch thick from the footing up to outside grade level or coated with asphalt or using other waterproof material approved by the building inspector.

#### **24.3.0 Heat Producing Apparatus (For heating, incineration and allied appliances)**

- (1) Permit Required: Before proceeding with the construction, installation, erection, alteration or remodeling of any boiler, furnace, incinerator or other heat producing apparatus, a permit shall first be obtained from the building inspector by the heating contractor. An application shall be filed by said contractor specifying in detail the work to be done and be accompanied by the fee as set by the Town Board.
- (2) Accessibility: The installation of heat producing appliances shall in all cases be such as to make them accessible for cleaning, operation and maintenance.
- (3) Unsafe Heating Appliances: The building inspector shall have the authority to seal any heating appliance regulated herein which has been installed in violation of the regulations of this code, or which is found upon inspection to be in an unsafe condition and to be a life, health, or fire hazard. It shall be unlawful for any unauthorized person to break such seal.

#### **24.3.1 Underground Tanks (Abandoned, Out-of-Service, Removal)**

Such tanks shall comply with all applicable state regulations.

#### **24.3.2 Air Conditioning Refrigeration Systems**

- (1) Permit Requirements
  - (a) Permit Required: Except as hereinafter provided, before proceeding with the construction, erection, or installation of any air-cooled, water-cooled or mechanically-cooled air conditioning or refrigeration system or unit in or serving any building, a permit shall first be obtained from the building inspector.
  - (b) Permits shall not be required for the installation of any air conditioning or refrigeration system or unit that does not use water for cooling or where the

source of operating power is obtained by plugging in an electrical cord connection to an electrical outlet. This paragraph shall be applicable to portable units, one and one-half (1 1/2) tons capacity or under.

- (c) Application for a permit shall be made by the installing contractor upon a form provided by the building inspector, shall be filled out completely and shall provide the following information:
  - 1. Name and address of contractor.
  - 2. Location of premises where installation is proposed.
  - 3. Name and address of owner.
  - 4. Location of unit on premises including distance to lot lines for exterior apparatus.
  - 5. Manufacturer's identification, classification and size of unit.
  - 6. Nature of coolant.
  - 7. If water cooled, source of water and method of discharging waste water. (Refer to Plumbing Inspection Department.)
  - 8. Where water conservation devices are required, manufacturer's name, identification, classification and size of equipment.
  - 9. Such additional information as shall be required by the building inspector.
- (2) Exterior Structures: Where any unit of an air conditioning or refrigeration system is located outside of the structure, said unit shall comply with setback requirements.

#### **24.4.0 Private Detached Garage**

- (1) A detached private garage shall mean a private garage entirely separate from the principal building.
- (2) Garages of wood frame construction shall be located not less than ten (10') feet from any residence building, except that such distance may be reduced in compliance with COMM 21.08(1). Garages of masonry wall construction shall not be located less than five (5') feet from any residence building.
- (3) Area: All garages in Residential Zoning districts shall be limited in area to either:
  - (a) Attached garage: 1,200 sq. Ft., plus one detached garage of 864 sq. ft., or
  - (b) If an attached garage does not exceed 864 sq. ft., a property may also have a detached garage not to exceed 1,200 sq. ft. if the area of the detached garage, along with all other accessory buildings, does not exceed the 5% maximum lot coverage limitation of the Zoning Ordinance. (Area of any garage shall be exterior dimensions, including all area on the garage side of the house/garage firewall.)
- (4) Foundations and Footings: Detached private garages may be built with a continuous floating slab of reinforced concrete not less than four (4") inches in thickness.

The slab shall be provided with a thickened edge all around, eight (8") inches side and eight (8") inches below top of slab. Exterior wall curbs shall be provided not less than



- four (4") inches above the finished ground grade adjacent to the garage. Bolts three-eighths (3/8") inches in diameter with nuts and washers attached, six (6") inches long, shall be embedded three (3") inches in the concrete curb of detached garages eight (8') feet on centers.
- (5) Floor Surface: The floor in all garages shall be of concrete construction. No openings or pits in the floor shall be permitted.
  - (6) Construction: Detached private garages shall be regulated by the same provisions as specified by the Wisconsin Uniform Dwelling Code for attached garages, except as herein provided.
  - (7) Private garages shall be of the same type of construction as that of the principal building and as further regulated in this code.
  - (8) Boilers: Furnaces or other heating equipment used in connection with the principal building shall not be installed in private garages. There shall be no openings from a private garage which shall lead directly to a boiler or furnace room unless they conform to the requirements for openings directly to the house. Unit heaters approved for installation in public garages may be used.

#### **24.4.1 Aluminum and Vinyl Storage Structures**

- (1) Building/Land Use Permit required, issued by the Planning Commission, with adjacent property owners notified of the meeting.
- (2) Setbacks are to be at least 30' from road right-of-way and 9' from side and rear lot lines. The commission may allow reduced setbacks in justifying circumstances.
- (3) If wired, must comply with local, state and National Electrical Codes.
- (4) Property owner is required to maintain the structure. If damaged, must within 30 days be removed or repaired with the same type/color material.
- (5) Only one vinyl structure is allowed on a residentially-zoned parcel.
- (6) Maximum size for a vinyl storage structure on a residentially-zoned parcel is 400 sq. ft.

#### **24.5.0 Miscellaneous and Violations**

- (1) New Materials and Methods: New materials, methods of construction, devices and equipment shall be approved by the building inspector for use in buildings by the procedure herein provided when they are proved to be the equal of those specifically required by this code; or he may adopt the recommendations and approvals of the Department of Commerce, State of Wisconsin, or such other Committee as may be established by this or other local ordinances.
- (2) Tests: Unless based on accepted engineering design, all new building materials, appliances, equipment, systems or methods of construction not provided for in this code shall be subjected to tests that simulate the actual conditions which occur in normal use. Such tests shall be made at the expense of the applicant at an independent testing laboratory and copies of the test results shall be kept on file in the Office of the building inspector.

The building inspector may accept duly authenticated reports from recognized authoritative sources in respect to the use of any new materials, methods or systems of

construction complying with applicable qualifications and standards of accepted engineering practices or any such new materials, methods or systems of construction approved by the Department of Commerce, State of Wisconsin, or such other Committee as may be established by this or other local ordinances.

- (3) Identification of Products: All materials shall be identified by the approved label, the grade mark, the trademark, or by other approved manufacturer's identification.
- (4) Violations: It shall be unlawful for any person to erect, use, occupy, or maintain any building or structure in violation of any provisions of this code, or to cause, permit or suffer any such violations to be committed. Any person or persons who shall violate any of the provisions of this ordinance or fail to comply therewith, or who shall violate or fail to comply with any order made hereunder, shall, upon conviction, be subjected to a forfeiture per Ordinance 39 "Schedule of Fees and Forfeitures" together with the costs of prosecution. It shall be the responsibility of the offender to abate the violations as expeditiously as possible, and each day that such violation is permitted to continue shall constitute a separate offense.

If, in any action, a permit was issued, it shall not constitute a defense, nor shall any error, oversight, or dereliction of duty on the part of the building inspector constitute a defense.

- (5) Failure to Obtain a Permit: It shall be unlawful to commence work prior to obtaining a permit therefor. Double fees shall be charged if work is commenced prior to the issuance of a permit.

#### **24.7.0 Fence**

- (1) Location:
  - (a) No fence or wall shall be erected along property lot lines with any portion closer than 12 inches to the lot line, except that a fence or wall may be erected on the property line by mutual agreement, in writing, of the adjoining property owners.
  - (b) Fences or walls located within the setback area of any lot or side yard fronting any street shall not exceed 2" feet in height, except that "Open" fences such as chain link or split-rail may be erected within setback areas if they do not interfere with the vision triangle as specified the Zoning Ordinance.
  - (c) No fence may be erected within road right-of-way without Town Board approval.
- (2) Appearance: Fences and walls shall be constructed and maintained so as to be pleasing in appearance and not degrade adjoining property.
  - (a) Maximum height of six (6) feet from finished grade to top of fence, except in salvage yards where (7) feet high fences are required.
  - (b) If both sides of fence are not identical in appearance, the more pleasing side must be placed toward the adjacent property.
- (3) Prohibited Fences: Barbed wire, spike or picket fences, except those with round tops, are prohibited, except that barbed wire fences may be erected in Agricultural and Industrial zones. Barbed wire fences in Agricultural Districts may be on the property line. In Industrial Districts, fences must be at least 12 inches from any lot line.
- (4) Swimming Pool Fences: All permanent outdoor swimming pools shall be enclosed to a height of not less than five feet and guarded against accidental trespassers or

- frequenters. (Above ground pools are not required to be fenced if they have removable ladders.)
- (5) Dog Enclosures: Fences, dogs, shall be located lot line whose primary purpose is to enclose at least nine (9) feet from any lot line
  - (6) Permits: A permit is required for all fences and walls including dog runs, except that no permit is required for Agricultural wire fences and open wire fences erected in other districts solely to keep out animals.

#### **24.8.0 Plumbing**

- (1) Administration
  - (a) Duties: The building inspector shall have control of the supervision and inspection of plumbing within or in connection with all buildings within the Town of Grand Rapids. It shall be the duty of said inspector to see that the construction, reconstruction, and alteration of all plumbing in all buildings in the Town of Grand Rapids shall conform with the laws of the State and Town.
  - (b) Authority: He is hereby authorized and empowered to exercise in the best interest of the general public such supervision over all plumbing as may be necessary to adequately enforce and administer the provisions of this ordinance.
  - (c) The inspector is hereby authorized to cause any necessary changes to be made to bring any plumbing work up to prescribed standards. Failure to do so when directed shall be sufficient cause for issuance of a citation.
  - (d) Access to premises: The inspector having reasonable cause to believe a violation exists, or his authorized agent, upon written order from said inspector shall have free and unobstructed access to any part of a private home or premises where house plumbing or appliances in connection therewith have been installed, between the hours of 9 a.m., and 6 p.m., and free access at any time to any building under construction for the purpose of inspection.
  - (e) Records: The inspector shall prepare suitable records and applications for the permits required; and keep in his office a record of all transactions of his office.
  - (f) Inspector's superior: The inspector shall work with and report to the Town Board.
- (2) Inspections
  - (a) Inspections and tests shall be made as provided for in the state code and this ordinance.
  - (b) Whenever any work is ready for inspection, the inspector or shall be notified during office hours by the person in charge, specifying the location by street number or land description.
  - (c) The plumber or person in charge shall make such arrangements as will enable the inspector to reach all parts of the building readily and shall have present the proper apparatus and appliances for making the tests, and shall furnish all materials and perform all labor in making such tests as required for proper inspection.

(3) Permits and Fees

- (a) All persons shall, before doing any plumbing work in a building, make application to the Office of the inspector for a plumbing permit covering such work.
- (b) This permit shall not be issued until the inspector has proof that adequate water is available and that sewage can be disposed of.

(4) Plans and Specifications

- (a) When deemed advisable by the inspector, plans and specifications showing the kind and size of pipes, traps, and fixtures shall be filed with the inspector.

(5) Expirations of Permits

- (a) All permits are issued for a continuous performance of the work named thereon; permits will automatically expire when the work ceases for a period of sixty (60) days without good and reasonable cause for same; but automatically expire on completion of work for which it was issued.

### **24.9.0 Electrical Code**

- (1) Object and Scope (1 & 2 family dwellings must comply with Uniform Dwelling Code). The object and purpose of this Chapter is to safeguard persons and property from hazards arising from the use of electrical energy by establishing minimum standards for the installation and maintenance of electrical systems. Compliance with these standards is intended to result in installation reasonably free from electrical hazards. The standards merely prescribe and establish a reasonable minimum and do not constitute a specification for electrical installations and electrical equipment generally. Specifications for electrical installations are not complete when they only require compliance with this chapter, because the adequacy, suitability, operating efficiency, convenience, finish, appearance, and value of electrical installations may be greatly varied or affected in many respects without departure from the regulations of this chapter.

(2) Scope

- (a) The regulations of this chapter shall apply to the supply of electricity and to all sales, rentals, leases, uses, installations, alterations, repairs, removals, renewals, replacements, disturbances, connections, disconnections, maintenance of all electrical materials, wiring, conductors, fittings, devices, appliances, fixtures, signs, and apparatus, or parts thereof, or attachments therefore, hereafter referred to as electrical equipment, which are intended to be, or are within, on, under, over, or near all buildings, structures, equipment and premises.
- (b) The National and State Electrical Codes as amended shall become a part of this code, as well as wiring rules of local utilities.

### **24.9.1 Administration**

- (1) The inspector shall be located in the Town Office and shall not be interested either directly or indirectly, in the installation of wiring, preparation of plans, and specifications, sale or manufacture of any material, process, or device entering into or used in, or in connection with, electrical installation, except as authorized by the Grand Rapids Town Board.

- (2) Electrical inspection shall be performed by the building inspector.
- (3) The inspector or his duly authorized representative shall enforce the regulations of this electrical code.
- (4) The inspector in special cases shall have the authority and is hereby empowered and directed to waive any of the regulations of this chapter, the enforcement of which, in his judgment would create an unsafe or dangerous condition.
- (5) It shall be the duty of the Town of Grand Rapids Police Officer to assist the inspector or any of his duly authorized representatives in the enforcement of this chapter, and to permit and allow the inspector or his representative inside fire and police lines.
- (6) It shall be the duty of every person who furnishes electric current to, or who owns, sells, leases, or lets for hire, uses, designs, installs, repairs, operates, maintains, or grants possession of any electrical equipment or materials, wiring or apparatus, in the Town of Grand Rapids to comply with the regulations of this chapter.
- (7) Right of Entry:
  - (a) The inspector or his duly authorized representative shall have the authority to enter all buildings and premises and all parts thereof, except occupied dwellings, in order to make the inspection or test of the electrical equipment or wiring contained therein or thereon to enforce the regulations of this chapter.
  - (b) It shall be unlawful for any person to refuse lawful entry to the inspector or his duly authorized representatives, or to interfere with, harass, abuse, obstruct, or cause delay in the performance of their duties. The inspector or his duly authorized representatives shall have the authority, and they are hereby empowered to order the removal of any and all obstructions including lath, plaster, lumber, boards, and partitions.
  - (c) The inspector, having reasonable cause to believe a violation exists, shall make examinations of electrical wiring and appliances installed within the Town of Grand Rapids, and when such wires or appliances are found to be in a dangerous or unsafe condition, he shall notify the person, firm, or corporation owning, using, operating, or installing the same to place them in a safe condition. Any person, firm, or corporation failing to or refusing to make the necessary repairs, or changes, and have such completed within fifteen (15) days after receipt of such notice, shall be in violation of this code and the inspector is hereby empowered with authority to order the discontinuance of electrical service to such defective wires or appliances until they have been repaired, removed, or changed as directed by the inspector.
- (8) Inspections
  - (a) Complete records of all permits issued and inspections made and other official work performed under the provisions of the ordinance shall be kept and so arranged as to afford prompt information concerning electrical installations.
- (9) Permits
  - (a) The inspector shall issue permits for the execution of electrical installations for light, heat or power upon the filing of proper application, which shall be made on forms furnished by the inspector and shall prescribe the nature of the work as well as such other information as may be required for inspection. A plan may be

required to accompany the application at the discretion of the building inspector. In no case shall any electrical work be done unless a permit has first been obtained.

- (b) No permit shall be required for minor repair or alterations, repairing drop cords, flush and snap switches, replacing fuses, changing lamp sockets.
  - (c) All persons shall, before doing any electrical work in a building make application to the office of the inspector for a permit covering such work. The inspector shall approve the application and issue to the applicant a statement showing the fees to be paid for such permit.
  - (d) Exception: No permit shall be required for the manufacturing, assembling, repairing, or testing of electrical equipment or any electrical maintenance in any buildings used for industrial purposes, by any person, firm, or corporation having in their employ a qualified plant electrician. This exception does not apply to any new construction.
- (10) All electrically operated amusement devices shall be inspected by the inspector, and the Operator shall comply with his recommendations to assure safe operation of this equipment. All carnivals and similar groups must obtain an electrical permit and inspection before operation is started.
- (11) Authority to Discontinue Electrical Operations
- The inspector shall have the authority to cause the turning off of all electrical currents to any equipment which is found to be in an unsafe condition, and he shall attach an official notice, and cut or discontinue electrical service in cases of emergency and where such electrical currents are dangerous to life and property or any interference with the work of the Fire Department. No person or firm, or corporation shall reconnect any equipment thus cut off until written permission is given by the inspector.
- (12) Arbitration
- Where the inspector refuses to issue a Certificate of Inspection on the electrical work of any building, or condemns the same, the owner may, within five (5) days after receiving written notice from the inspector, file notice in writing with the Board of Appeals.

#### **24.9.2 Liability**

In all cases where any action is taken by the inspector to enforce the regulations of this chapter, such action or act shall be considered as done in the name of and on behalf of the Town of Grand Rapids, and said inspector in so acting for the town shall not be judged as liable for any damage that may accrue to persons or property as the result of any such action or act committed in the discharge of their duties, and any lawsuit or action brought against said inspector by reason thereof, shall be defended by the Town Attorney until final termination of the proceedings contained therein.

#### **24.9.3 Minimum Standards:**

All electrical installations shall comply with the National, State, or Electrical Code, whichever is more stringent.

#### **24.9.4 Installation Standard: Public, Commercial, Industrial**

- (1) No person, firm, or corporation shall engage in the business of planning, installing, altering, or repairing any electrical wiring or apparatus for utilization of electric current for light, heat, or power in the Town of Grand Rapids without first having procured a master electricians license from the City of Wisconsin Rapids, a reciprocal licensing agency, or the State.
- (2) All service conductors shall be enclosed in rigid or thin wall conduit and shall have fused or breaker type main disconnect.
- (3) All conductors operating at voltage higher than three hundred (300) volts shall be enclosed in rigid metal conduit.
- (4) All conductors in commercial buildings shall be enclosed in conduit and no branch circuit wire shall be smaller than #12 AUG.
- (5) Each metering device shall have one main disconnecting means.

#### **24.9.5 Rewiring Existing Buildings**

In the rewiring of existing buildings (residential) or when a residential service is changed for any reason, the following work must be done:

- (1) Service:
  - (a) Comply with National, State, and Town Electrical Codes and utility rules;
  - (b) Must be property sized;
  - (c) Minimum 200 amps unless written load calculation is provided showing load is less than 200 amps;
  - (d) Change meter socket to a new one unless utility approves the existing one;
  - (e) Wires between meter and service panel may NOT be "USE" or "XLPE"; these wires must have a "T" or "R" rating, such as THWN or RHHW.
- (2) Receptacles: minimum two in each living room, bedroom, dining room.
- (3) Circuits: one separate circuit for each refrigerator, garbage disposal, dishwashers, furnace.
- (4) Laundry Circuit: separate 120-volt, 20 amps circuit and receptacle for clothes washer/dryer area.
- (5) Wall-switched light: required in every habitable room, bathroom, hallways, stairways, attached garages, and at outdoor entrances.
- (6) New outlets to be installed on new branch circuits.
- (7) Kitchen Counter Tops: minimum two 20-amp small appliance circuits; ALL receptacles GFCI-protected.
- (8) Extension cords used instead of permanent wiring must be removed and replaced with receptacles.
- (9) Defective sockets, switches and other devices must be repaired or replaced.
- (10) Abandoned wiring in dwelling or garage: remove where exposed.

- (11) Garage: all receptacles must be GFCI-protected.
- (12) Exterior: A minimum of two (2) receptacles, one (1) in front and one (1) in back of dwelling, GFCI protected. In addition a 125-volt single-phase receptacle outlet must be located on the same level and within twenty five (25) feet of the air-conditioning equipment. The receptacle outlet shall not be connected to the load side of the equipment disconnecting means. Reference NEC2005;210.52 (E) Outdoor Receptacles and 210.63 Heating, Air-Conditioning, and Refrigeration Equipment Outlet.
- (13) Bathroom: minimum one receptacle (NOT part of a light fixture); all receptacles GFCI-protected.
- (14) Proper lighting required over all stairways. Provide switches at top and bottom of each stair level. Provide outside light at each door with wall switches or motion detectors.
- (15) Clothes Closet Lights: replace all open incandescent bulb fixtures with a total enclosed light fixture or fluorescent fixture.
- (16) New ceiling lighting boxes need to be labeled for ceiling fans.

#### **24.9.6 Temporary and Emergency Work**

- (1) On applying for permit for temporary electrical work, a specified period of time for which such wiring is to remain in service must be stated. Service shall be cut off at the end of this period and shall not again be connected without the written permission from the inspector.
- (2) A temporary service during construction or repair must be installed in accord with an approved sketch furnished by the inspector.
- (3) In emergency work, the person, firm, or corporation doing or causing work to be done shall report the same to the inspector immediately after beginning work, on forms furnished by the inspector, and such work shall be in accordance with the provisions of this ordinance.

#### **24.9.7 Neon Lighting**

- (1) All transformers for neon lighting shall be an approved type and grounded in conduit system. The 110 volt cord feeding the window-type transformer shall be three (3) wire and not over four (4) feet long. Porcelain bushing or glass tubing shall be used on the high tension wires to protect them from arcing where they pass through metal or combustible material.
- (2) On trough or cove lighting by neon, the trough or cove must be lined with metal, transite, or some non-combustible material. Plaster cove or troughs need not be lined.
- (3) All outside neon signs and decorating neon must be on separate circuits. There shall be no more than three (3) transformers to a circuit.
- (4) Insulators supporting high tension cable passing over metal or combustible material shall have a maximum spacing of twelve (12) inches and so installed as to clear at least two (2) inches over this material. Where longer runs are used, the high tension cable must be enclosed in glass with the proper drain. Where high tension feeders pass through walls, glass tubing must be used within a conduit for mechanical protection.

#### **24.9.8 Installation of Radio, Television and Electronic Systems**

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Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.



- (1) The purpose of this Section is to provide minimum regulations to insure safety to person and property, safe and stable design, and good workmanlike methods of construction.
- (2) Supervision by inspector: The inspector shall have general supervision over the enforcement of this section. He shall inspect the installation of radio, television, and public address systems, aerial and ground systems or electronic devices or apparatus in any public or commercial building. He shall have the right to condemn and order removal of any equipment that may entail a distinct hazard to life and property as set forth in the Wisconsin Electrical Code.
- (3) Antenna Systems: Roof mounted systems must have their own base or platform securely fastened directly to one or more rafters or to bracing fastened to rafters using lag screws or bolts.
- (4) No chimney, roof ventilator, vent pipe, or fire escape may be used to guy or support any antenna mast.
- (5) All antenna systems shall be so installed that no part of the structure will be nearer to a street, sidewalk, or other public area, electric power (primary circuit) than its overall height plus six (6) feet. No wires, cables, or guy wires shall extend over any street or other public area. Where the height of the antenna is over thirty (30) feet a detailed sketch showing location of the antenna with respect to property line, existing electric or communication lines, shall accompany the application for a permit, and such sketch must show compliance with all the requirements of this ordinance.
- (6) Lightning Arresters: When lead-in conductors or polyethylene ribbon type are used, lightning arresters shall be of a type consistent with the standards of Underwriter's Laboratories, Inc., must be installed in each conductor. If a coaxial cable is used for the lead-in, suitable protection may be provided without lightning arresters by grounding the exterior metal sheaths.
- (7) Where a rotor is used, the control cable must be protected with a lightning arrester using at least two (2) of the conductors.
- (8) Grounding: Antenna masts or towers must be adequately grounded for protection against a direct stroke of lightning. Ground wires must be minimum of No. 8 aluminum or copper for grounding masts or towers and lightning arresters, and shall be mechanically and electrically secured to the antenna mast or tower grounding and electrode by use of approved fittings. The grounding conductor shall be run in as straight a line as practicable, maintaining a clearance of at least two (2) inches from combustible material. Stand-off insulators shall be spaced not more than eight feet apart.
- (9) The grounding electrodes shall be at least a 5/8" diameter copper or copper-clad rod eight (8) feet apart and must be no closer than eight (8) feet in length. Two electrodes must be used and spaced at least eight (8) feet to ground electrode for electrical system.
- (10) The ground electrode for the antenna mast may also service as the ground electrode for the lightning arresters.
- (11) Radio or television transmission lines must be kept at least twelve (12) inches from existing telephones and electric wires. The radio or television transmission lines shall be suitably insulated and shall not be smaller than No. 20 AWG. The wires shall be supported by approved brackets and standoff insulators placed at least every five (5) feet on the mast or tower and on the side of the building.

- (12) Television or radio transmission lines must be of a type consistent with standards of the Underwriter's Laboratories, Inc., in the current issue of the National Electrical Code, and in accordance with such standards as set forth.
- (13) The radio or television transmission line shall not be attached to the same cross arm or supports for light, power, or communication conductors, and shall not come within six (6) feet of a lightning rod.
- (14) The wires from the antenna mast or tower on the outside of the building wall and on the roof shall be supported in a manner to hold the wires taut on both horizontal and vertical runs. They shall be insulated when entering any building and where exposed to mechanical injury shall be suitably protected. They shall have a permanent separation of two (2) feet from open wires up to 250 volts potential and greater separation at higher voltages.

**24.9.9 Regulation of the Uses of Devices or Apparatus which interfere with the Transmission, Reception, or Communication by Radio or Television**

- (1) Lawful use: It shall be unlawful for any person, firm, corporation to operate in the Town of Grand Rapids any electrical apparatus, device, machine or equipment which needlessly and unnecessarily causes interference with radio or television reception between the hours of 8 a.m. and 11 p.m., when such interference can be reasonably prevented by means of repairs, adjustments, shielding, the installation or corrective appliances, or other practicable alterations.
- (2) Equipment covered: Any device or apparatus such as Violet Ray machines, machines using Tesa Coil or principal, X-Ray machines, Diathermy machines, which interfere with the intelligibility or reception shall be considered as coming within the terms of this ordinance.
- (3) It is expressly understood and provided, however, that this ordinance shall not apply to radio stations either broad- cast, commercial, or amateur, licenses by the Federal Government, and/or which are engaged in the supervision of the Public Commission.

**24.9.10 Permit Fees**

All applications for permits shall include fees as per Ordinance 39 "Schedule of Fees and Forfeitures".

**HISTORY**

<b>Declaration/Ordinance/Resolution No</b>	<b>Dated</b>
<b>Revised</b>	<b>3/11/08</b>
<b>Resolution # 2008-03</b>	<b>4/8/08</b>